

INDEPENDENT AGENCY
CHAPTER 10

FEDERAL EMERGENCY MANAGEMENT AGENCY
EMERGENCY MANAGEMENT PLANNING AND
ASSISTANCE

For an additional amount for "Emergency management planning and assistance" for emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, \$200,000,000, to remain available until September 30, 2003, of which \$150,000,000 is for programs as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.); and \$50,000,000 for interoperable communications equipment: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Mr. BYRD. Mr. President, on Tuesday, September 10, 2002, the Attorney General announced an increase in the national threat level to the "High Risk" level. The President accepted the recommendation based on what the Attorney General described as specific intelligence received and analyzed by the full intelligence community and corroborated by multiple intelligence sources.

The Attorney General indicated that the likely targets include the transportation and energy sectors and symbols of American power such as U.S. embassies, U.S. military facilities and national monuments.

I intend to offer an amendment to the Interior bill for \$937 million of supplemental funding. The package includes \$647 million of homeland security funding that draws from the \$5.1 billion emergency contingency fund that the President rejected those items that are most directly related to the increased threat. In addition, the amendment includes \$200 million for international AIDS programs as was approved by the Senate 79-14 when Senator FRIST offered the amendment last June. The amendment also includes \$90 million that the Congress had previously approved for providing long-term health screening and examinations for the emergency personnel who responded to the attack at the World Trade Center.

The Office of Management and Budget currently estimates that there is \$940 million available under the discretionary caps for fiscal year 2002 budget authority. Therefore, this amendment does not require an emergency designation by the President. If the President signs the bill, the funds will be made available.

Highlights of the \$937 million package include \$150 million for security at our nuclear plants and labs, \$150 million for the direct costs of new security requirements for our Nation's airports, \$150 million to equip and train our Nation's firefighters for dealing with weapons of mass destruction and other threats, \$100 million for grants to fire and police departments to improve the interoperability of their communications equipment, \$39 million for the

Customs Service for improved border security, \$17.7 million for increased security at the Washington Monument and Jefferson Memorial, \$18 million for USDA for securing biohazardous materials, \$12 million for DC for law enforcement costs of the September 28 IMF conference and other national security events, \$10 million for embassy security, \$200 million for international AIDS, tuberculosis and malaria services, and \$90 million for long-term health monitoring of World Trade Center first responders.

I thank the Chair, and I thank all Senators.

The PRESIDING OFFICER. The Senator from Nevada.

ORDER OF PROCEDURE

Mr. REID. Mr. President, the Chair will shortly report H.R. 5005. This morning when the order was entered, we did not know if anyone would oppose either amendment. I have been advised that the comanager of this legislation is going to oppose the Hollings amendment. I, therefore, ask the Chair to designate the Senator from Tennessee as the person controlling the time against the Hollings amendment.

The PRESIDING OFFICER. The Chair will do so.

HOMELAND SECURITY ACT OF 2002

The PRESIDING OFFICER. Under the previous order, the hour of 12 noon having arrived, the Senate will now resume consideration of H.R. 5005, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 5005) to establish the Department of Homeland Security, and for other purposes.

Pending:

Lieberman Amendment No. 4471, in the nature of a substitute.

Thompson/Warner Amendment No. 4513 (to Amendment No. 4471), to strike title II, establishing the National Office for Combating Terrorism, and title III, developing the National Strategy for Combating Terrorism and Homeland Security Response for detection, prevention, protection, response, and recover to counter terrorist threats.

The PRESIDING OFFICER. Under the previous order, the Senator from South Carolina is recognized to offer an amendment.

AMENDMENT NO. 4533 TO AMENDMENT NO. 4471

Mr. HOLLINGS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Carolina [Mr. Hollings] proposes an amendment numbered 4533 to amendment No. 4471.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the membership and advisors of the National Security Council)

At the end of subtitle D of title I, add the following:

SEC. 173. MODIFICATION OF MEMBERSHIP AND ADVISORS OF NATIONAL SECURITY COUNCIL.

(a) MEMBERS.—Subsection (a) of section 101 of the National Security Act of 1947 (50 U.S.C. 402) is amended—

(1) in the fourth undesignated paragraph, by redesignating clauses (1) through (6) as subparagraphs (A) through (G), respectively;

(2) by designating the undesignated paragraphs as paragraphs (1) through (4), respectively; and

(3) in paragraph (4), as so designated—

(A) by striking subparagraphs (E) and (F) and inserting the following new subparagraphs:

“(E) the Attorney General;

“(F) the Secretary of Homeland Security; and”;

(B) in subparagraph (G), as so redesignated, by striking “the Chairman of the Munitions Board,” and all that follows and inserting “to serve at the pleasure of the President.”.

(b) ADVISORS.—That section is further amended—

(1) by redesignating subsections (g) through (j) and subsection (i), as added by section 301 of the International Religious Freedom Act of 1998 (Public Law 105-292; 112 Stat. 2800), as subsections (i) through (m), respectively;

(2) by transferring subsection (l) (relating to the participation of the Director of Central Intelligence on the National Security Council), as so redesignated, to appear after subsection (f) and redesignating such subsection, as so transferred, as subsection (g); and

(3) by inserting after subsection (g), as so transferred and redesignated, the following new subsections:

“(h) The Director of the Federal Bureau of Investigation may, in the performance of the Director's duties as the head of the Federal Bureau of Investigation and subject to the direction of the President, attend and participate in meetings of the National Security Council.”

Mr. REID. Mr. President, will the Senator withhold for a parliamentary inquiry?

Mr. HOLLINGS. Yes.

Mr. REID. Mr. President, I have been speaking to the manager of the bill, Senator LIEBERMAN. We have two amendments pending. Senator THOMPSON opposes the Hollings amendment.

It would seem that the Senator from Tennessee should have one-half hour in opposition to that amendment. Senator LIEBERMAN opposes the Thompson amendment. He should have one-half hour in opposition to that. If the two managers agree with that, we should have that in the form of an order so somebody can designate the time on it.

The PRESIDING OFFICER. That is the understanding of the Chair.

The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HOLLINGS. Mr. President, I thank the distinguished Chair.

This amendment is so simple that it becomes suspicious, in a sense. All I amend here is the National Security Council so as to include the Attorney General, the future Secretary of Homeland Security, and the Director of the